

NORFOLK, VIRGINIA

REGULAR SESSION OF COUNCIL

TUESDAY, MARCH 4, 2014

President Fraim called the meeting to order at 2:00 p.m. with the following members present: Ms. Green, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, Ms. Williams and Mr. Winn.

He thereupon called on the City Manager to review the agenda. That being done, he called for the first item of business.

GENERAL ASSEMBLY UPDATE

Bryan Pennington, Director of Intergovernmental Relations, reported:

- All of Norfolk's legislative reports were passed.
- Also reviewed were: 1) changes to the Public Private Transportation Act; 2) creation of the Hampton Roads Transportation Accountability Commission; 3) State budget amendments; and 4) loss of 251 Pre-K slots for Norfolk that is being worked on by the House and Secretary of Education.

FOOD TRUCK UPDATE

Ron Williams, Assistant City Manager, reported:

- Permits were issued in 2013 to 6 food trucks and 5 pushcarts.
- Downtown restaurant sales are up and were affected by food trucks by 1/2%.
- 2014 will have 6 spaces for food trucks and 5 pushcart locations.
- A lottery will be held in March with the program to begin in April.

BETTER BLOCK DEMONSTRATION PROJECTS

Ron Williams, Assistant City Manager, reported:

- Two demonstrations have been held: in the Arts District and on 35th Street.
- Another Better Block is being planned for Five Points in the fall.
- Proposed place-making projects upcoming include parklets, PLOT2 and lighting on Granby Street.

REGULATING PARKING THROUGH CHARACTER DISTRICTS

George Homewood, Director of Planning, reported as follows:

- He reviewed the three forms of character districts: downtown, traditional and suburban.
- The districts need to be incorporated in the Zoning Ordinances and council will be asked to do this.
- Parking is the first implementation of applying the districts and is intended to: 1) enhance development opportunities; 2) reduce the cost of providing parking; 3) considers the prevalence of public parking facilities and on-street parking; 4) bases requirements on buildings' square footage; 5) recognizes the impact of transit; 6) reduces environmental impacts of parking; and 7) accommodates and encourages bicycle use.

SENIOR DISABLED TAX RELIEF

Sabrina Joy-Hogg, Assistant City Manager, reported as follows:

She gave a brief recap on the history of the program and where it is currently. She reviewed a Power Point presentation that included the program's progression up through the proposed FY 2014 Program and the Proposed Changes for FY 2015. She also noted that they've met with the Norfolk Federation of Civic Leagues. The key issues identified by the Federation were the interest on deferred taxes and that the deferral program was confusing.

She reviewed the progression of the program which started in the 1990s. She noted that at the height of the program in 2010, the income limit doubled from \$34,450 to \$67,000; the net worth went up \$200,000 for a 250% increase; the tax rate dropped from \$1.40 to \$1.11, which was a reduction of \$.29; the relief that was provided quadrupled to almost \$9,000,000; and the 100% relief

bracket went to \$28,611. The parameters of the program were increased in 2010 which provided more relief even though the tax rate was lower.

Currently, the income limit is \$67,000 and the net worth is \$350,000, which is one of the highest in the region along with Chesapeake and Virginia Beach. The tax rate is now at \$1.15; the relief cap is at \$5,000,000; and the 100% relief bracket stayed at \$28,611.

Recap of the FY 2014 Program

Established tax relief: \$5 million

*Includes relief for mandated tax exemptions for disabled veterans

Established assessment cap: \$203,386

*Average residential assessment in FY 2013

*In FY 2013, there were homes receiving 100% relief valued over ½ million

Restructured tax relief: 100% Exemption or Deferral

*Deferrals may be prorated if relief exceeds the \$5 million cap

*Interest (3.5%) applies on deferred taxes, same as in previous program

Proposed Changes for FY 2015

No interest applied to deferred taxes

Freeze assessment cap at \$203,386 (FY 2013 level)

*Without the proposed change, the assessment cap would be \$201,843

Clarifies relief for households with income up to \$28,611 will not be subject to proration

Removes September 30 deadline for late filers

*Adds consideration of demonstrated hardship for late filing by prior year applicants

Council expressed concerns:

Council asked the City Manager to address the following areas of concern: net worth, income levels, and possibly eliminating the deferral program.

COUNCIL ACTION

R-1

Matter of a **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Church Street Station by Luna Development**, to a) amend Map LU-1, "Future Land Use Map," in *PlaNorfolk2030* from Industrial, Single Family Urban and Utility/Transportation to Multifamily, b) amend the *Zoning Ordinance* to add section 27-38, "Church Street Station Residential Planned Development" (PD-R Church Street Station) district and c) change the zoning from I-2 (Light Industrial), R-11 (Moderate Density Multifamily) and RCO (Residential Compatibility Overlay) districts to PD-R Church Street Station district on properties numbered **2000 Church Street** and **1816-1824 O'Keefe Street**.

(PUBLIC HEARING CLOSED AT THE MEETING OF FEBRUARY 25, 2014)

Thereupon, An Ordinance entitled, "An Ordinance to amend the City's General Plan, *PlaNORFOLK2030*, **SO AS TO** change the land use designation for properties located at 2000 Church Street and 1816 to 1824 O'Keefe Street from Industrial Single Family Urban, and Utility/Transportation to Multifamily" was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 4, 2014.

Yes: Green, Smigiel, Whibley, Williams, Winn and Fraim.

No: Protogyrou and Riddick.

R-1A

An Ordinance entitled, "An Ordinance to amend Chapter 27 of the *Zoning Ordinance of the City of Norfolk, 1992*, **SO AS TO** create the Church Street Station Residential Planned Development District (PD-R Church Street Station)" was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 4, 2014.

Yes: Green, Smigiel, Whibley, Williams, Winn and Fraim.

No: Protogyrou and Riddick.

R-1B

An Ordinance entitled, “An Ordinance to rezone properties located at 2000 Church Street and 1816 to 1824 O’Keefe Street from I-2 (Light Industrial), R-11 (Multi-Family Residential) and RCO (Residential Compatibility Overlay) Districts to PD-R Church Street Station (Church Street Station Residential Planned Development District)” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 4, 2014.

Yes: Green, Smigiel, Whibley, Williams, Winn and Fraim.

No: Protogyrou and Riddick.

R-2

Matter of a **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on a **Land Disposition and Development Contract (“LDDC”)** between the **City of Norfolk** and **Virginia Supportive Housing (“VSH”)**, a Virginia non-stock corporation for 1.2 acre parcel of real property located off **Church Street** in the **Huntersville** area.

(PUBLIC HEARING CLOSED AT THE MEETING OF FEBRUARY 25, 2014)

Thereupon an Ordinance entitled, “An Ordinance authorizing the Land Disposition and Development Contract (“LDDC”) to be entered into with Virginia Supportive Housing, and authorizing the conveyance of a parcel of real property to VSH” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective April 4, 2014.

Yes: Green, Smigiel, Whibley, Williams, Winn and Fraim.

No: Protogyrou and Riddick.

CLOSED SESSION

Motion for closed session was approved for purposes which are set out in **Clause (s) 1 and 3** of subsection **(A)** of **Section 2.2-3711** of the Virginia Freedom of Information Act, as amended:

- (1) Discussion of candidates for appointment to the Architectural Review Board.
- (3) Discussion of the disposition of publicly held real property in the Berkley, Huntersville, Park Place, Pinewell/Cottage Line and Lamberts Point areas of the City.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams Winn and Fraim.

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective March 4, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.